

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Case No: 05-1222

LYNETTE M. PETRUSKA,

Appellant

v.

GANNON UNIVERSITY; THE BOARD OF TRUSTEES OF
GANNON UNIVERSITY; WILLIAM I. ALFORD, II;
ROBERT H. ALLSHOUSE; JOSEPH F. ALLISON;
MICHAEL P. ALLISON, REV.; JAMES A. BALDAUF;
L. SCOTT BARNARD; GEORGE J. BEHRINGER;
ARNOLD E. BERGQUIST; LAWRENCE E. BRANDT,
REV. MSGR.; ROBERT L. BRUGGER, REV. MSGR.;
DONALD M. CARLSON; DANIEL C. CARNEVAL, D.O.;
STEPHANIE DOMITROVICH, HON.; THOMAS L. DOOLIN;
JAMES J. DURATZ; ANTOINE M. GARIBALDI; THOMAS
C. GUELCHER; WILLIAM M. HILBERT, SR.; BRIAN
J. JACKMAN; JAMES W. KEIM, JR.; MARY RITA
KUHN, SR., SSJ; THOMAS J. LOFTUS; ANNE C.
MCCALLION; JOSEPH T. MESSINA; MICHAEL J.
NUTTALL; JOHN E. PAGANIE; DENISE ILLIG ROBISON;
JAMES J. RUTKOWSKI, JR.; JAMES A. SCHAFFNER;
HELEN M. SCHILLING, M.D., D.D.S.; JOHN M.
SCHULTZ, VERY REV.; ROBERT J. SMITH, REV.
MSGR.; LAWRENCE T. SPEICE, REV. MSGR.;
WILLIAM C. SPRINGER; JAMES G. TOOHEY; DONALD
W. TRAUTMAN, BISHOP; ANASTASIA VALIMONT, SR.
SSJ; RICARDA VINCENT, SR. SSJ; MELVIN WITHERSPOON;
ALL OTHER KNOWN AND UNKNOWN MEMBERS OF THE BOARD
OF TRUSTEES OF GANNON UNIVERSITY DURING THE
TENURE OF DONALD W. TRAUTMAN, as members of the
Board of Trustees of Gannon University; DAVID
RUBINO, MSGR., in their individual and official
capacities; NICHOLAS ROUCH, REV., in their
individual and official capacities
(W.D. Pa. No. 04-cv-00080E)

Present: SMITH, Circuit Judge

ORDER

It is ORDERED that the mandate issued on October 11, 2006 is hereby recalled. The order denying the petition for rehearing dated October 3, 2006 failed to note, in accordance with 3d Cir. IOP 9.5.8, that Judge Ambro would grant rehearing en banc in the above-captioned appeal. Accordingly, the order dated October 3, 2006 will be amended to include the following statement:

Judge Ambro would grant rehearing by the court en banc.

After the amended order is entered, the Clerk shall reissue the mandate forthwith.

BY THE COURT,

/s/ D. Brooks Smith
Circuit Judge

Dated: October 18, 2006
tyw/cc: C. John Pleban, Esq.
Evan C. Rudert, Esq.
Frank L. Kroto Jr., Esq.
Arthur D. Martinucci, Esq.
Steven W. Fitschen, Esq.
Philip J. Murren, Esq.



A True Copy

Marcia M. Waldron

Marcia M. Waldron, Clerk